

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10 UNITED STATES OF AMERICA,)
11 Plaintiff,) CASE NO. C05-569M
12 v.)
13 KEVIN LEE CRONIC,) DETENTION ORDER
14 Defendant.)
15

Offenses charged:

Counts 1-13: Mail Fraud, in violation of Title 18, U.S.C., Section 1841

Date of Detention Hearing: November 30, 2005

19 The Court conducted both an detention hearing pursuant to Title 18 U.S.C. §
20 3142(f), and a preliminary Rule 5(c)(3) inquiry. The defendant waived his rights to a full
21 Rule 5(c)(3)(D) hearing and the Court signed an order of transfer to the originating court
22 in the Eastern District of California to answer the charges.

Based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which the defendant can meet will reasonably assure the appearance of the defendant as required and the safety of any other person and the community. The Government was represented by Joanne Maida.

DETENTION ORDER

PAGE -1-

1 The defendant was represented by Brian Tsuchida.

2 The Government moved for detention stating that in addition to the thirteen counts,
3 there are four other "scams" not reflected in complaint in which the defendant was involved.
4 The government maintains the defendant is a danger to the community in terms of the
5 financial hazard defendant poses.

6 Defense counsel argued for release maintaining defendant has no prior criminal
7 record and has strong ties to the district of Washington, including small children.

8 **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

9 (1) This Defendant has ties to this district, however his lack of
10 trustworthiness forms the basis of his detention. In the Pre-trial Services
11 report he has purported sought money from others stating his youngest
12 child, an infant, is in need of surgery. The surgery, though needed, did
13 not occur, despite his having been given money to do accomplish it.
14 Together with the underlying offenses, this Court has little faith in the
15 Defendant complying with court orders and refraining from presenting a
16 risk of additional economic damage to the public.

17 **It is therefore ORDERED:**

- 18 (1) The defendant shall be detained pending trial and committed to the
19 custody of the Attorney General for confinement in a correction facility
20 separate, to the extent practicable, from persons awaiting or serving
21 sentences or being held in custody pending appeal;
- 22 (2) The defendant shall be afforded reasonable opportunity for private
23 consultation with counsel;
- 24 (3) On order of a court of the United States or on request of an attorney for
25 the Government, the person in charge of the corrections facility in which
26 the defendant is confined shall deliver the defendant to a United States

1 Marshal for the purpose of an appearance in connection with a court
2 proceeding; and

- 3 (4) The clerk shall direct copies of this order to counsel for the United
4 States, to counsel for the defendant, to the United States Marshal, and to
5 the United States Pretrial Services Officer.

6 DATED this 9th day of December, 2005.
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10 MONICA J. BENTON
11 United States Magistrate Judge
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